IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR
O R D E R

**S.B. Civil Second Appeal No.343 Of 2004.**

Prakesh Chand Sharma Vs. State of Rajasthan & Others

**Date Of Order ::: 01.11.2006.**

**Hon'ble Mr. Narendra Kumar Jain J.**

Mr. S.K. Gupta and
Mr. Rajnish Gupta, Counsel for plaintiff-appellant.

**By the Court :**

Heard learned counsel for the plaintiff-appellant.

The plaintiff-appellant instituted a suit for permanent injunction, which was dismissed by the learned Lower Court. The judgment and decree passed by the learned Lower Court has been affirmed by the First Appellate Court also.

I have considered the submissions of learned counsel for the plaintiff-appellant in the light of the findings of both the Courts below and after considering

the submissions of learned counsel for the plaintiff-appellant, I find that the controversial issues involved in the present case are relating to the question of facts and there is a concurrent finding of fact recorded by both the Courts below in this regard, which cannot be interfered with by this Court in second appeal under Section 100 of the Code of Civil Procedure, 1908.

No substantial question of law is involved in this second appeal and the same is accordingly dismissed at the admission stage itself with no order as to costs.

**(Narendra Kumar Jain) J.**

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